

**GUIDELINES FOR COMPLETING THE
INTERNET SAFETY CERTIFICATION FOR APPLICANT LIBRARIES
PROGRAM YEAR 2004 FUNDS**

The following questions are provided to assist an applicant library determine the appropriate certification to make in conjunction with any application for funds from a State Library Administrative Agency (SLAA) under the Library Services and Technology Act (LSTA). *These guidelines are provided as technical assistance from the IMLS to SLAAs in order to facilitate the collection of Internet Safety certifications by SLAAs from applicants.*

1. Is the applicant library a public library, a public elementary school library, or a public secondary school library?

Yes ____

Please proceed to question 2.

No ____

Requirements regarding Internet safety only apply to these types of libraries. The applicant library is not required to make any certification.

2. As of the date of this application, is the applicant library receiving services at discount rates under Section 254(h)(6) of the Communications Act of 1934 (the "E-Rate" program)?

Yes ____

Entities receiving E-Rate discounts certify compliance with CIPA under the E-Rate program and do not need to make an additional certification with regard to Internet safety under the LSTA.

No ____

Please proceed to question 3.

3. Will the applicant library use LSTA funds to purchase computers used to access the Internet or to pay for direct costs associated with accessing the Internet?

Yes ____

Please proceed to question 4.

No ____

Please check the box beside paragraph C on the appropriate certification form and sign it.

4. Does the applicant library already have in place the following, as provided by 20 U.S.C. Section 9134(f)(1):

- (i). A policy of Internet safety for minors that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are: (1) obscene; (2) child pornography; or (3) harmful to minors; and the library is enforcing the operation of such technology protection measure during any use of such computers by minors; and
- (ii). A policy of Internet safety that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are (1) obscene; or (2) child pornography; and the library is enforcing the operation of such technology protection measure during any use of such computers.

Yes _____
Such libraries are already in compliance with 20 U.S.C. Section 9134(f)(1).
Please check the box beside paragraph A on the appropriate certification form and sign it.

No _____
Please proceed to question 5.

5. **FOR PUBLIC LIBRARIES:**

If the applicant public library cannot answer "Yes" to (4) above, in order to receive LSTA funds it must certify (*as provided by 20 U.S.C. Section 9134(f)(4)*) that it is undertaking actions, including any necessary procurement procedures, to put in place an Internet safety policy that meets the following requirements:

- (i). A policy of Internet safety for minors that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are: (1) obscene; (2) child pornography; or (3) harmful to minors; and the library is enforcing the operation of such technology protection measure during any use of such computers by minors; and
- (ii). A policy of Internet safety that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are (1) obscene; or (2) child

pornography; and the library is enforcing the operation of such technology protection measure during any use of such computers.

These actions are required to make a library eligible for LSTA funding in FY 2004 only. Applicants will be required to certify that they are in compliance with 4 (above) during the next program year (FY 2005), unless eligible for a waiver pursuant to 20 U.S.C. Section 9134(f)(4)(iii). Please check the box beside paragraph **B** on the certification form for public libraries and sign it.

If the applicant public library cannot provide the certification in paragraph **B**, it is not eligible for LSTA funding.

FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOL LIBRARIES:

If the applicant public elementary or secondary school library cannot answer "Yes" to (4) above, it is not eligible for funds under the State Program. A library may request a waiver of this requirement, as provided by **20 U.S.C. Section 9134(f)(4)(iii)**, if State or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification. The library shall certify that it will meet the requirements of **20 U.S.C. Section 9134(f)(1)** before the start of Program Year 2005.

Applicant school libraries are required to certify that they are in compliance with 4 (above) to receive funds through this program. An applicant may seek a waiver of this requirement, pursuant to 20 U.S.C. Section 9134(f)(4)(iii), if the conditions in paragraph B of the certification form apply.

If the applicant school library cannot provide the certification in paragraph **B**, it is not eligible for LSTA funding.